SHOOTER USES PISTOL AFTER A DESPERATE STRUGGLE.

Albert C. Latimer, Prosperous Stationer. Grapples Invader of His Home Falls Before His Wife With Two Bullets in His Hody The Burgiar Gets Away.

man 35 years of ago, was shot down in the presence of his wife, and probably fatally wounded, by a burglar who got into his home, 318 Hancock street, Brooklyn, about 2 c'clock yesterday morning. The burglar escaped and the police of the Metropolitan district are searching for him. Mr Latimer is in St. Mary's Hospital, Brooklyn, with a allet in his head and another in his breast. His chances of recovery are slight. His wife, who was standing but a few feet away from her husband when the burglar's pistol shot struck him, is half-crazed with grief and is under the care of physicians.

Mr. Latimer, who was in the stationery business at 83 Maiden Lane, Manhattan, lived with his wife and two children, Marion, aged 10, and Edward, aged 7, in one of a row of vine-covered cottages in Hancock street, near Tompkins avenue. It is a twostory and basement house with a high stoop and a veranda running across the front. The upper front room of the house was the sleeping apartment of Mr. and Mrs. Latimer. The room takes up the entire front of the house and has three windows. The bed stood in a shallow alcove. Two other bedrooms on the same floor were occupied, one by the daughter, Marian, and a piece who was a guest, and the other by the boy Edward and another guest, a youth of 17. A negro servant girl slept in a room downstairs.

The family went to bed about 12 o'clock and had been asleep some two hours when Mrs. Latimer was awakened by a sound. She was dozing off again, when she heard another noise apparently in the hall near the door. She listened and there came another noise. Then she roused her husband.
"Al," she said, "there's somebody in the

house." Said Mr. Latimer, "go to

"Nonsense," said Mr. Latimer, "go to sleep."

Mr. Latimer was fast asleep a moment later. His wife was not convinced. She lay and listened. Again came a vague and indefinite noise from the stairway. Mrs. Latimer thought there might be something wrong with the children. She stole out of hed and in her bare feet walked into the hallway and listened at the doors of their rooms. They were sleeping serenely. She was still uneasy and went into the bathroom, lighted the gas and turned it down so that it threw a dim light through the hall into her bedroom. Then she went back to bed.

Mrs. Latimer's movements had roused her husband. As he and his wife lay listening they saw the dim figure of a man just within their sleeping room door. He hesitated a moment and then moved softly

just within their sleeping room door. He hesitated a moment and then moved softly across the room to the dressing case oppo-site the foot of the bed. Mrs. Latimer got a good look at him and her description is one of the few rather meagre clues the police have to work on. She describes is one of the few rather meagre cities the police have to work on. She describes him as wearing a black mask that covered about half of his face. He was bareheaded and Mrs. Latimer saw that he was smooth shaven. He wore a dark sack-coat suit. He was about 5 feet 8 inches tall and weighed

shaven. He wore a dark sack coat suit. He was about 5 feet 8 inches tall and weighed about 140 or 150 pounds.

Just as the burglar approached the dressing case Mr. Latimer jumped out of bed and grappled with him. Mrs. Latimer says that as her husband left the bed he grabbed up a blanket and held it before him, probably intending to throw it over the man and tangle him up in it. There was a flerce struggle for a moment and then the burglar broke away and made a dash for the dim outline of a door. In the ordinary way of building houses of the type of the one in which the Latimers live this door would have led into a hall-way. In this house, however, it led into a wide, deep closet. The burglar dashed into it probably before he realized where he was. He was caught like a rat in a trap. Mr. Latimer sprang after him and reached

he was. He was caught like a rat in a trap.
Mr. Latimer sprang after him and reached the closet just as the burglar siammed the door shut and held it fast with all his strength. Mr. Latimer grabbed the knob on the other side and pulled his utmost to get it open. He had the better purchase and apparently was the stronger, for the door began to give. Then the burglar door began to give. Then the burglar resorted to his last desperate tactics. He suddenly let go his hold on the knob, and, as the door flew open sending Mr. Latimer staggering back he fired two shots in rapid

Succession at his antagenist.

One bullet crashed through Mr. Latimer's cheek tearing away two teeth, breaking the jaw-bone and burying itself, it is thought in the muscles of the neck. The other grazed the left arm and entered the left side probably perforating a lung.

Mr. Latimer without uttering a word reeled backward and fell unconscious in front of the dressing case where the struggle had begun. The burglar, before Mrs. Latimer could make an outery, dashed into the hall and out of the house slamming the doors behind him. Mrs. Latimer rushed to the window and cried out in a voice that reused the entire neighborhood. Many living near by had heard the pixtol shots, and these followed by Mrs. Latimer's pieceing screams brought nearly everybody in the block out of hed.

Policeman McNeeley of the Fifty-fifth Policeman McNeeley of the Fifty-fifth precinct, Gates avenue station, heard the shots and the cries a block or more away and ran for the house. He met an inspector of the Brocklyn Rapid Transit on the way, threw him the key to the signal lox and told him to call the patrol wagen. In ten minutes the street in front of the nouse was swarming with men, women and children in all stages of undress. Then the patrol wagen came dashing up with a the patrol wagon came dashing up with a load of policemen, who ransacked the house and the neighborhood for the burgor. But, quick as was the response to Mrs. Latimer's alarm, the burglar had too reest a start to be caught. It is supposed bat he rushed out the back door, climbed the rear fence to a vacant lot and made off to Haisev street before even McNeelev had reached the front of the house. A gen-ecal alarm was sent out, and the police of all the boroughs of the city are on the look-

for him. inder Mr. Latimer's body was found bievele lamp, which the burglar prob-bly dropped in the first struggle in front f the dressing case. By the daing-room aide in the basement was found a badly worn pair of bicycle shoes with strips of felt fastened on the soles and beels, making an excellent pair of burglar steakers. A

an excellent pair of burglar streakers. A black silk cap with a visor was found on the dining-room table. On the inside of the cap there was stamped "Taylor's, opposite Bauman's, Baltimore." These, with Mrs. Latimer's description of the man, are all the clues the police have.

When the policemen arrived at the house they found Mr. Latimer lying bleeding and unconscious on the floor with his wife kneeling beside him and hysterically begging him to speak to her. A hurry call for an ambulance was sent to the Williamsburg Hospital and the surgeon who responded directed that the wounded man be taken to St. Mary's, that being the nearest hospital where he could be treated. He remained unconscious all day yesterday and from the first the doctors had small hope of his recovery. Mrs. had small hope of his recovery. Mrs. Latimer herself collapsed under the strain and Dr. Morrison, the family physician, was summoned. She is still under his care. Mr. Latimer is collector for De Witt Clinton Council, Royal Arcanum. He recovered consciussess last exempts.

Clinton Council, Royal Arcanum. He recovered consciousness last evening and
the doctors said he had a chance to live.

Two cases of murder by burglars very
similar to this Latimer tragedy occurred
in Brooklyn some fifteen years ago. Lyman
D. Weeks, a hat manufacturer living in
De Kalb avenue was shot and killed by a
burglar whom he discovered in his dining
room in the dead of night. The burglar
John Greenwold, was caught and had the
distinction of being the last man to be
hanged under the old law governing executions. Soon after the Weeks murder
a grocer named Luca, living at the corner
of High and Jay streets, was shot by a
burglar named John McIlvaine. McIlvaine Jay streets, was shot by a to death in the electric chair.

MAJOR HARRY C. CUSHING DEAD organized White Wings Hrigade Under Cal.

Major Harry C. Cushing, U. S. A., retired. died yesterday at his home in New Rochelle He had been ill for about two weeks with heart disease. He was born in Baltimor n 1811 He came of old New England ock, his great-grandfather being Judge John Cushing, who tried the British soldiers for the Boston Common massacre, and Nicholas Cooke, the first Governor of Rhode

Major Cushing was in his freshman year at Brown University when the Civil War broke out. He enlisted as corporal in the First Rhode Island Artillery and served throughout the war. His promotion was rapid ending with a brovet as Major in August, 1864. for gallant service in the battle of Smithfield.

During the Virginia campaign Major Cushing was inspector of a tillery on Gen. Sheridan's staf. Since the war he had served in North Carolina, Alaska, California and the New England States and participated in the Sioux war of 1876, the New Perces war of 1877 and the Apache war of 1881. He retired from active condens in 1872.

war of 1812 the retired from active service in 1812.

When Col. Waring took charge of the street cleaning department in the Strong administration, Major Cushing was appointed superintendent of street cleaning.

Cooke Cushing, a naval architect with Townsend & Downey, survive him.

Major Cushing was a member of the Loyal Legion and the Sons of the American Revolution. He will be buried on Saturday Revolution. He will be buried on Saturday with military honors in the Arlington Ceme-

CAPT. JAMES BENKARD DEAD. Veteran, Ex-Governor of the Union Club

and an Old New Yorker. James Benkard of the old New York family of that name, died early yesterday morning after a long illness. His father was among New York's best-known merchants and his mother was Miss Mary Robinson, the daughter of Capt. Henry Robinson, one of New York's great shipowners of old days and an early member of the New York Yacht Club

Mr. Benkard was born in Varick street n 1840 and was graduated from Columbia College with the class of '61. He went South in the Civil War with Company F of the Seventh Regiment as a private and became First Lieutenant of the Thireenth Wisconsin Volunteers on Sept. 18. 1881. Afterward he was promoted to a cap-Issil. Afterward he was promoted to a cap-taincy and was made an additional aide-de-camp on the staffs of Generals Augur and Hatch. He took part in the early Virginia campaigns, the battle of South Mountain and the sege of Port Hudson. He was a member and for several terms a Governor of the Union Club, a Past Master of Holland Lodge, F and A. M., ex-President of the Southside Club, ex-President of the American Fisheries Society and a member of the Loval Legion, Military Society of he Army and Navy Club.

the Army and Navy Club.

He leaves a widow, the daughter of the late H K Horton of Boston, Mass., and three sons, J Philip Benkard, J Gerald Benkard and Harry H Benkard. The funeral will be held in Calvary Church Fourth avenue and Twenty-first street, or Saturday morning at 19 o'clock The burlal will be in Greenwood Cemetery in the family plot

Obituary Notes.

Leverett Brainard, President of the Case, Mayor of Hartford for two years, from April 1, 1891, died vesterday morning at his home on Washington street, Hartord. Mr Brainard was also President of the Hartford Paper Company and was a director of many insticlaughter of the late Eliphalet A. Bulkley founder of the Etna Lafe Insurance Company He leaves several children

News was received in Chicago yesterday the death at his home in Scotland of Alexandeath at his home in Scotland of Alexan eddes, who lived for many years in Chi-He was one of the foremost figures grain trade of the world. He amassed e fortune while in Chango

OSSINING P. O. SHORT.

Assistant Postmaster Reynolds Pleads No. Gulley to a Charge of Larceny. Henry H. Reynolds, assistant postmaster

at Ossining gave \$2,000 ball yesterday before United States Commissioner Hitchcock on a charge of larceny of postal funds. Post Office Inspector James, who is the complainant, says that Reynolds's cash account had been found to be short \$460. account had been found to be short 1469, and that \$215 was also missing from the money order funds. The prisoner gave himself up voluntarily, and came into court accompanied by his brother, a lawyer, and a bondsman. He pleaded not guilty and waived examination.

Attachment on an Ecuador R. R. Deputy Sheriff Fogarty has received an attachment for \$11,339 against the Guavaquil and Quito Railway Company of Ecuaquil and Quito Railway Company of Ecua-dor in favor of George H. Emerson on an assigned claim of the Phenix Bridge Com-pany of Phenixville. Pa., for the amount due for a bridge for the company's rail-way in Ecuador which was shipped from this city on May 14 for Guayaquil. The attachment was granted on the ground thet it is a New Jersey corporation.

Miss Marie E. Payne of 536 Jersey avenue, Jersey City, and Waters B. Porrett, also of that city, were secretly married on the evening of June 23 after a courtship of

Pair weather was general yesterday, save for scattered showers in Minesota, Wisconsin, Illicentre over the Middle Atlantic States. There was an area of low pressure with a well-defined outline covering the Rocky Mountain States. The winds were high on the western Rocky

Mountain slope.
This depression was creating warmer weather in all the States west of the Mississippi Valley and thence west to the mountains which is the beginning of a warm wave in the West. In this city the day was fair and warmer, the wind was light to fresh and shifted from north-west to south: average hunidity. Se per ceat, barometer, corrected to read to sea level, at 8 A. M.,

The temperature yest rday, as recorded by the

Bekil table:

-Official Sun's
1907, 1901, 1909

6. M. 70' 91' 75' 6 P. M. 79' 81' 79'
12 M. 78' 97' 75' 9 P. M. 72' 84' 76'
2 P. M. 79' 95' 80' 12 Mid. 69' 82' 71' WASHINGTON PORPCART FOR TO-DAY AND TO-

For eastern New York, fair on the coast, showers in interior to day, probably showers and conter to-morrow, brisk south winds.

For New England, increasing cloudiness to day;

showers in west portion, warmer in interior, showers to morrow, fresh south winds. For New Jersey, the District of Columbia, eastern Pennsylvania and Delaware and Maryland, partly cloudy and warmer to day, probably showers in afternoon; showers to morrow, fresh southwest winds.

For western New York, showers to day and to-morrow, warmer to-day, fresh to brisk southeast to south winds increasing.

PENFIELD GOES FOR BAILEY.

THE SENATORS VERACITY DI RECTLY QUESTIONED.

Hor Penfield Says That Balley's Statement in the Senate "Was in Substance and Spirit Untrue" and That He Knew It Was Untrue When He Made It.

WASHINGTON, July 2 Judge William L. Penfield, of Indiana, the Solicitor of the State Department, pays his compliments to Senator Bailey of Texas in a prepared statement given out to-day. It is devoted principally to a dignified explanation of his part in the Bielenberg-Scott case, out of which grew the attack Senator Pailey by Bailey on the Solicitor. charged that Judge Penfield had refused to furnish him with papers in the case and take proper measures to secure justice for Scott. In his statement Judge Penfield denies these allegations and does not mince words in doing so. The statement follows:

"A judgment was recovered by Bielen berg against Scott in one of the Mexican courts. Scott took the case to the Supreme Court of Mexico, where it is still pending. with Capt Gibson, now Deputy Street cleaning.
With Capt Gibson, now Deputy Street Cleaning Commissioner, Major Cushing organized the famous "White Wingsbrigade. For the last five years Major Cushing had lived in retirement in his home at New Rochelle.

In 1825 he married Martha W. Buddof Maryland. She and three sons, Harry C. Gishing, a publisher; Otho W. Cushing, an artist on the staff of Life, and Nicholas Cooke, Cushing, a naval architect with of its lower courts, pending an appeal in the Supreme Court, and because intervention does not lie for a judicial denial of justice until there has been a final denia! of justice by the court of last resort. went to the utmost limit of propriety in drawing an instruction to Gen. Clayton, that he should request of the Mexican Government the use of its good offices with a view to the fair and impartial determination of the case pending in the Supreme Court. If I had complied with Senator Batley's request, it would have been a violation of all the precedents, it would have been disrespectful to the Mexican Government, and it would have been an utter disregard of whatever rights Bielenberg had, because the demand was that Bielenberg's judgment should be set aside on the mere ex parte statements of Dr. Scott and his attorney and Senator Bailey, with out the production of the record and with out giving Bielenberg any hearing.

"Senator Bailey's charge that I refused to furnish an office copy of a contract inclosed in one of Gen Clayton's despatches is in its substance and spirit untrue, and he knew it perfectly well when he made the charge in the Senate, for he had a letter in his possession, written by Secretary Hay on April 15, saying:

In answer to your letter requesting

In answer to your letter requesting that a copy of the Scott-Bielenberg contract Inclosed in a despatch from Ambassa dor Clayton be furnished to Dr. Scott, have the honor to say that the chief cleri have the honor to say that the chief clerk of the Department has been instructed to furnish to Dr. Scott a copy of that inclosure, which he can have by calling or furnishing his address to the Department. "About two weeks ago, Senator Builey came to the Solicitor's office and complained that Gen, Clayton in his note to the Mexican Government had omitted a portion of the instruction which stated that there were some circumstances connected with the case that seemed to indicate a want of disinteresteciness and fairness in the proceed-Interestedness and fairness in the proceed-ings in the lower courts. Senator Balley imputed the omission to the sinister design of the Ambassador. I explained that Gen

representatives in dealing with a foreign "Senator Bailey answered with some 'Senator Bailey answered with some heat: 'I see that you are bound to stand by Gen. Clayton'. I replied that Gen. Clayton's conduct was not shown by the record to be actuated by any unworthy motive, and that I would not censure him without giving him a hearing. I added 'I will submit the matter to Secretary Hay and if he thinks that the omitted portion of the instruction should be communicated to the Mexican Government. I will draw an instruction to Gen. Clayton requiring an instruction to Gen. Clayton him to communicate it. Senat Senator Bailet eplied that he did not want it submitted to the Secretary; that so far as he was co-cerned, he would not see the Secretary cerned, he would not be the matter, and the President again about the matter, and added that he was going to deliver a speech added that he was going upon the President and t

much was left to the discretio

in the Senate touching upon the Presi-dent, the Secretary of State, Ambassador Clayton and the Solicitor "The truth of the matter is that Senator Bailey set out some months ago to remove Gen. Clayton from his office because Gen. Clayton would not take instructions from him instead of the Secretary of State. If I had joined with Senator Bailey in his condemnation of Ambassador Clayton, whose record before the Department for whose record before the Department for fidelity, discretion and efficiency is most excellent, he would have omitted his assault upon me in the Senate. He says so himself in his speech, as reported in the Congressional Record."

Judge Penfield concludes as follows: "Senator Bailey is one of those men who go hunting for trouble and this is surriv one of the spasmodic displays of asin'nity in which he indulges at regular periods."

LIVE WASHINGTON TOPICS.

Colloquy in the Senate Mr. Grow

Laaves His Old Quarters. WASHINGTON, July 2 The following colloquy, copied verbatina from to-day's congressional Record, occurred during the losing hour of debate in the Senate on the Philippine question while Senator Spooner had the foor:

Mr. Culberson-Mr. President. The President Pro Tempore Does the enator from Wisconsin yield to the Senator om Texas?

from Texas?

Mr Spooner I do
Mr Cuberson I am not sure whether
the Senator has my reply, which was not Spooner-No: it is not printed, but I read it Culberson-You might at least let me r Culherson You might at least let me the question r Spooner I thought the Senator had ed it I beg the Senator's pardon r Culherson No pardon is necessary, r Spooner Then I withdraw my re-

Mr. Culberson -You are excusable under the circumstances.

Mr. Spooner I think I should get along whether I am or am not excused by the Sen-

ator
Mr. Culberson—I trust so.
Mr. Spooner—Yes, I expect to live till
winter [Laughter]
Mr. Culberson—At the present progress I
doubt it.
Mr. Spooner—I will disappoint the Senator.

Mr. Spooner—I will disappoint the Senator, then.
Mr. Culberson—I trust he may. I see no occasion for the Senator's dving—
Mr. Spooner—I do not, either.
Mr. Culberson—Though I regret very much that he should be so inclined to talk in this manner. I rose simply for the purpose of asking him if he had the letter, or a copy of the letter, to which he has referred, he might read it.
Mr. Spooner—I have it not.

was a member of Congress fifty years ago and later Speaker of the House of Rep-resentatives of the Civil War Congress, was to-day forced to leave the hotel that has been his home in Washington for over half a century. The hotel in question is the old Willard, a famous hotelry, now called the Fairfax to distinguish it from torn down to make room for an addition to the latter structure. Mr. Grow was visibly affected as he passed for the last time through the doorway of the old hotel which has been his Washington home for so long. A room on the same floor and in the same location as his old room, when the new structure is completed, has been promised Mr. Grow PHILIPPINE BILL TO MANILA. etary Hoot Cables & Su

WARHINGTON, July 2. - Late this afternoon Secretary Root cabled acting Governor Wright at Manila a brief summary of the Philippines Civil Government bill enacted by Congress vesterday, with a potice that he full text had been malled to-day.

Mr. Root's despatch enumerated the various provisions and changes made by he conferees and embodied in the new bill over the Cooper and Lodge bills and briefly stated its most vital points. His despatch closed with the following congratulations losed with the for

I congratulate commission upon the confidence and approval of Congress, evi-denced by its adoption of your acts and continuance and enlargement of your authority. also cabled congratulations to Gov

regarding his work and the work of

Secretary Root issued the following order Secretary Root issued the following order:
Pursuant to the provisions of an act entiled "An act temporarily to provide for
he administration of affairs of civil govrement in the Phitippine Islands and for
ther purposes, approved July 1, 1932. Capt
larence It. Edwards, whom I consider
specially well qualified, is hereby detailed
o act, under the authority of the Secretary
of War, as Chief of the Rureau of Insular
figirs of the War Department, and said
filter, while acting under said detail, will
ave the rank new and allowances of a
blonel. The Adjurant-General is directed
o make the necessary order to give effect
this detail.

to this detail.

Capt. Edwards has been in charge of the temporary Bureau of Insular Affairs, now made permanent.

EMPLOYEES OF THE HOUSE. Total of 388, of Whem 187 Are in Doorkeeper's and 83 in Janttor's Offices.

WASHINGTON, July 2.-Pursuant to the requirements of a law passed at the close of the last Congress, the Committee on Accounts of the House yesterday presented Accounts of the House yesterday presented a report upon the employment and compensation of employees of the House, the first ever made. The report says that "the provisions of the new law have had a wholesome effect in abolishing questionable practices in the division of salaries, the unauthorized transfer of employees and the employment of substitutes, and altogether have increased the efficiency of the several departments of the House."

The following table gives the number of employees in each department: Speaker, 4: committee clerks, messengers and janitors, 83: clerks, 54: doorkeepers, 187; sergeant-at-arms, 9: postmasters, 23: superintendent of the Capitol, 23. Total, 383.

RUENCAMINO GETS THE PEN It Is the One With Which the Presiden

WASHINGTON, July 2. Senor Buencamino, he Filipino leader who recently testified before the Senate Philippines Committee, called on the President to-day to ask for the pen with which the Philippines Civil Government bill was signed. He said the pen was desired to be placed in a public library to be established in Manila. The President gave the pen to Senator Lodge yesterday, but the Senator, who was at the White House when Senor Ruencamino called to-day, yielded his claim to the sauvenir and gave it to the Filipino.

LIEUT. ARNOLD EXONERATED. Col. Crewder Reports That He Did Not

WASHINGTON, July 2.-Col. Enoch Crowder, who has been investigating the charges against Lieut. Arnold of the Fourth Cavalry returned to Washington last evening and called at the War Department this morning for the purpose of presenting his re-Col. Crowder's investigation leads him to report that there is no foundation for the charge that Lieut Arnold authorized the

THEY ARE MIDSHIPMEN NOW. All Naval Cadets Will Hereafter Be Designated in That Rank.

WASHINGTON, July 2.-Through a prorision of the Naval Appropriation act which went into effect yesterday, the old title of midshipman is revived in the navy All naval cadets will be at once designated governed the action of Congress in this

President's Guests at Luncheon.

WASHINGTON, July 2.-President Roose celt had as his guests at luncheon to-day Secretary Hay, Secretary Root, Secretary Moody, Attorney-General Knox, Post-master-General Payne, Senator Allison and Senator Hanna During the luncheon some matters relating to the administration of the several Departments were talked over, as no Cabinet meeting will probably be held before October. The President will leave for Pittsburg to-morrow night and will go from there to Oyster Bay on Saturday There was a rush of visitors at the White

House tc-day, nearly all of them being Senators or Members of Congress who wished to transact final business with the President before leaving for home.

Movements of Naval Vessels. WASHINGTON, July 2. The despatch boat Dolphin has arrived at Washington, the Dotphin has arrived at Washington, the cruiser Atlanta at Montevideo, the gunboat Helena at Ching Kiang, the cruiser Chicago at Southampton, England, the coiller Leonidas at Lambert's Point, Va., and the training ship Hartford at Salem, Mass. The training ship Alert has sailed from Ventura for Monterey, the training ship Buffalo from Port Said for Colombo, the ting Choctow from Newport for Norfolk and the gunboat Nashville from Tripoli for Jaffa.

The gunboat Scorpion has been placed in commission at Boston and the gunboat Manila out of commission at Mare Island.

Consul Dickes Exonerated.

WASHINGTON, July 2. After a second investigation of charges against the integrity of Col. William B. Dickey of Louisiana, who was removed from the office of United States Consul at Callao, Peru, in consequence of them, the State Department has decided that Col. Dickey was not guilty of any dishonest; in the conduct of his of any dishonest in the conduct of his office. Whether he will be reinstated in the consular service has not been deter-mined, but it is probable that he will be

WASHINGTON, July 2.- The gunboat Marietta, Commander John A. Rodgers,

sailed yesterday from San Juan, P. R. for Cape Haytien, Hayti, where American and other foreign interests are believed

Army and Navy Orders. WASHINGTON, July 2. These army orders were

Issued to day:

Second Lieut. Frederick E. Gignoux, Artillery
Corps, recently appointed, assigned to the 10sth
Coast and to Fort Columbus for temporary duty.
Second Lieut. Frederick E. Gignoux, Artillery,
to Governors Island for examination for promotion. motion.

Major William J Wakeman, Surgeon, detailed as a member of the Exemining Board at New York etty, vice Capt. John S. Kulp, Assistant Surgeon Capt. Orin B. Mitcham and First Lieut. Samuel Hof. Ordnance Department, to New York for Capt. Orin B. Milcham and First Lieut. Samuel Hof. Orinance Department. to New York for examination for promotion.

Leaves of absence granted Capt. Wilson Chase, Twenty-first Infantry. four months, Capt. Joseph Frazier, Commissary. Fourteenth Infantry, two months: First Lieut Warren S. Bariow, Fitteenth Infantry, three months: Capt. D. Bockenbach, Twelfth Cavairy, three months.

Army Returning board to meet at Omaha for examination of officers: Brig. Gen. John C. Bates, Lieut. Col. John W. Pullman, Deputy Quarter master General. Major Edward J. McClermernd, Assistant Adjutant. Capt. Paul F. Straub. Assistant Surgroun, and Contract Surgeon Morton A. Probert, with Capt. Bobert W. Isowdy, Twenty-second Infantry, Recorder.

Capt. John R. Seeburn, Twenty-second Infantry, to Omaha for examination for retirement.

This navy order was issued:



\$3.50 SHOE WALL Established 1876. For more than a quarter of a century the reputation of W. I. Douglas \$3.50 shoes for style, comfort and wear has excelled all other makes sold for \$3.50.

W. L. Douglas \$1.50 shoes are worn by more men in all stations of life than any other make, because they are the only \$3.50 shoes that in every way equal those costing \$5.00 and \$6.00.

W. L. Douglis \$3.50 shoes are the standard of the world. These are the reasons W. L. Douglas makes and sells more meu's \$3.50 shoes than any other two manufacturers in the world.

The dest imported and American leathers
Heyl's Patent Caif, Enamer, Eox Caif, Caif, Will Kit, Carnay Cal and National K nyaroo.

East Color Eyelets used exclusively.
CAUTION: The genine have W. L. Douglas'
name and price stamped on the bottom.
Shoes by mail; 25 cts. extrn. Catalog free.
W. L. DOUG LAS, Bruckton, Mans.
NEW YORK STORES:
299 Broadway.
63 Cortian it Street.
633 Broadway.
63 Cortian it Street.
634 Broadway.
635 Cortian it Street.
636 Broadway.
636 Fighth Avenue.
636 Broadway.
637 Broadway.
638 Broadway.
638 Broad Street.

BISHOP TALBOT ON TRIAL.

BOARD OF INQUIRY BEGINS TO TAKE TESTIMONY.

Shall Try the Case The Prelate Accused of Conspiring With a Woman to I afrock the Rev. Dr. I. N. W. Irvine.

HARRISBURG, Pa., July 2.—The examination into the charges preferred against Bishop Ethelbert Talbot, the head of the Protestant Episcopal Diocese of Central Pennsylvania. by the Rev. Dr. Ingram N. W. Irvine, for merly rector of St. John's Church at Huntingdon, began this afternoon in St. Str. phen's Church parish house on North Front street. The charge is that Bishop Talbot entered into a conspiracy with Mrs. Emma D. Elliott of Huntingdon, Pa , and unjustiy unfrocked the Rev. Dr. Irvine.

The Board of Inquiry met at 11 o'clock and Dr. Hodges of Baltimore was elected President, with Dr. Foley of Williamsport as secretary After luncheon the selection of a church advocate took place. This officer is to act as advisor to the beard, his duty being to attend the meetings, but not as prosecuting counsel. He is re-quired to be at all times in readiness to give advice. give advice. Late this afternoon the taking of testi-

mony began, Dr. Irvine being present with his counsel, H. W. Petriken of Huntingdon, a close personal friend. The forms ation of the charges was made by the J. Andrews Harris and the Rev. Daniel I. O'Dell of Philadelphia.

It was late this afternoon when Charles
E. McConkey, a young Harrisburg lawyer

It was expected that the rules of evidence would be broader than in a Pennsylvania court, but this was not permitted, and the witnesses were held down to legal

evidence.

Dr. Irvine was not altogether satisfied with this rule and he said this evening. "If the rules were not so strict, we might get more of the truth into this case."

Dr. Irvine, who was the only witness this afternoon, was discreetly silent as to what had taken place behind the closed doors of the inquiry room. He said Dr. Odell of Philadelphia had cautioned him not to say a word of what had taken place.

Hints were made by Dr. Irvine concern-Hints were made by Dr. Irvine concern-ing an affidavit which might have a bearing on the case, but he would not say who

Mrs. Elliott, the woman with whom Bishor Talbot is accused of conspiring, will not be called, but it is understood that at least

called, but it is understood that at least six other witnesses will be heard to-night before the board adjourns. The findings will not be made public until they are reviewed by Bishop Clark of Rhode Island, presiding Bishop of the church.

The Board of Inquiry is composed of some famous churchmen. Bishop Talbot's diocese, Central Pennsylvania, is represented by the Rev. Dr. F. C. Foley of Williamsport, the Rev. Dr. D. J. Powers of Pottsville, W. Fred. Reynolds of Bellefonte and the Hon Hugh M. North of Columbia: the diocese of Philadelphia by the Rev. Dr. W. B. Bodine, rector of the Church of Our Saviour; Bishop Olmstead of Colorado, George C. Thomas, a well-known financier, and Francis A. Lewis; the diocese of Maryland by the Rev. Dr. J. S. B. Hodges of Baltimore, the Rev. Dr. J. H. Eccleston, John W. Randall and Daniet M. Thomas.

The diocese of western New York had The diocese of western New York had originally been drawn upon for members but it was found that the diocese of New York was the proper one by reason of its proximity, and the following were named to represent it. The Rev. Dr. J. Lewi-Parks, the Rev. Dr. William R. Huntington, Francis Lynde Stetson and W Bayard Cutting. The New York members will be here late to-night. All but three of the Philadelphia members and one of the Maryland members arrived to-day. The Board of Inquiry will exercise the functions of a grand lary, and if the The Board of Inquiry will exercise the functions of a grand jury, and if the presentments are substantiated a charge will be made against Bishop Taibot, on which he will have to be tried by the Court of Bishops. The supporters of the Bishop saythat there is little foundation for the charges, but as in legal courts, the board acting as a grand jury will hear only one side.

BIG FRANCHISE IN HAVANA. Americans Get Permission to Build and

Run Street Ballways. Youngstown, Ohio, July 2.-Park & Hamilton of this city have secured franhises authorizing them to construct and operate electric street railway lines in the city of Havana. The concessions obtained are estimated to be worth \$25,000,000. Harry G. Hamilton received a cablegram to-day from Richard Milligan, representing the firm, who is in Havana, conveying the information that all the franchises in Havana had been secured. Associated with Park & Hamilton in this enterprise are Devitt, Tromble & Co. of Chicago, Penhale & Fisher of New York, H. W. Whipple of New York, H. W. McDonald & Co. of Chicago and W. J. Hayes, A. Sons, of Clevaland.

Crowd After Driver Who Ran Over a Box. William McConville, 14 years old, of 224 East 104th street, was run over and killed by a truck in front of his home yesterday afternoon. The driver of the truck, Joseph Seitel of 1804 First avenue, was chased to the East 164th street police station by a crowd. He was locked up



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To Foreign Countries:

SUE MUTUAL RESERVE LIFE. 13 Old Polleyholders Seek to Urset New Stock Company.

Thirteen Tennessee policyholders of the old Mutual Reserve Fund Life Asso ciation, now reorganized into the Mutual Reserve Life Insurance Company, began an action yesterday in the United States Circuit Court asking for the appointment of a receiver for the company and the distribution of its assets among the 70,000 odd members. David L. Snodgrass, said to be Chief Justice of the Supreme Court of Tennessee is at the head of the plaintiffs, and Russell & Winslow, 253 Broadway, are

heir counsel.

The complaint charges the management with extravagance, negligence, corruption and fraud, and asserts the insolvency of the old association. The reorganization from an assessment into an old-line con-cern is denounced as unconstitutional, and as impairing the old members' rights. The report of the State Insurance Depart-The report of the State Insurance Department is pronounced misleading, in showing a cash balance of \$466.885 above all liabilities. It is alleged that on the contrary there is a real deficit of \$1.553,162. The officers of the company do not seem to be worried over the suit. They say that they have successfully fought plenty of similar actions, and that the reorganization was carried out strictly in accordance with carried out strictly in accordance with

DR. TIFFANY SENTENCED. Four Years and Six Months at Hard Labor

in Auburn and \$1,000 Fine. BINGHAMTON, N. Y., July 2 .- Dr. Thomas J. Tiffany, a we'l-known physician, was o-day sentenced to Auburn State Prison for hiring William Carter, a balf-breed Indian, to murder Charles Carman that Tiffany might marry Carman's wife. Tiffany promised to pay Carter \$25, bought the revolver and showed him where to shoot to make a fatal wound, but when Carter shot Carman he failed to kill him. Then Carter made a confession, which was corroborated and convicted Tiffany. An obstinate juror kept the jury out twenty-one hours, and then compromised on a verdict of assault in the second degree.

Judge Parsons to-day sentenced Tiffany four years and six months at hard labor Auburn, and fined him \$1,000, to remain additional 1,000 days if the fine is not an additional 1,000 days if the line is not paid. Tiffany is penniless, and will have to serve his full time, which brings the sentence up to the punishment for assault in the first degree.

LITTLE GIRL THIEF CAUGHT. she Confesses Having Committed at Least

Three Robberies. Kate Convoy, 10 years old, of 236 Hudson venue, Brooklyn, was arrested last night complaint of Miss Mamie Fleming of 201 York street, who suspected her of stealand a silver watch and a pin. The articles were found on Kate, who admitted her guilt. Her arrest led to the discovery that she was the girl who entered the grocery. of Angelo Redengrin at 77 Court et on Tuesday night and stole \$28 from such drawer while the grocer was busy customers. The girl said she had which customers. The girl said she had earl the money.

Mrs. Josephine Goldstrum of 2:6 Bergen rest, is also complainent against Kate, he entered her apartment on June 14 id stole four gold rings. Kate is temperarily in charge of the Society for the execution of Crushy to Children.

vention of Cruelty to Children ADMITS DOUBLE MURDER. tamer Shot Both of His Victims at Once

While They Slept. STURGIS, S. D., July 2.—Ernest Loveswar

racy Club, who was shot in the abdo-in a fight at the clubhouse, 14 West h street, early Sunday morning, died erday in the New York Hospital.

WASHINGTON, July 2.- The President has

decided to appoint Major Micah Jenkins, of the Rough Riders, Collector Major Jenkins was an officer under Col.
Rossevell in the Spanish war, and the
President has written of him as one of BOOKIE AT CITY HALL 'PHONE

ALDERMAN DIDN'T NEED HIM UNTIL DE LACY'S CLOSED.

Alderman Mathews Didn't Need Illm on Tuesday and Chased Him Off the Premises, Racing Cards, Dope Sheets and All He Made Straight for De Lacy's

horse races, calling up number so and so and use the city's telephone to send such irrelevant messages as: "Is she a starter? Well, put me on \$5

"Who won the second, eh, well, I'll be-Say, I've got to make good, I want to lay \$10, one, two, three, on Martin's mount. Then Capt. Miles O'Reilly put Peter De Then Capt. Miles O'Reilly put Peter De Lacy's place out of business and what was the use of the City Hall telephone any more! Last Tuesday while the board was in session—it was just after the first race—Alderman Armitage Mathews wanted to use the telephone in the committee room. There was a man there already, talking in whispers into the receiver. Mr. Mathews saw that he was neither an Alderman nor a reporter—these only have the privilege of the committee room telephone, but the man's face was familiar because Mr. Mathews. a reporter—these only have the privilege of the committee room telephone, but the man's face was familiar because Mr. Math-ews had often seen him around during the meetings of the board.

The Alderman waited about ten minutes

for his turn at the telephone, but as the stranger showed no signs of letting go Mr. Mathews walked across the room to inquire and he was industriously employed in marking off horses and starting prices. Mr. Mathews "tumbled," as he says. Graspmarking off horses and starting prices.
Mr. Mathews "tumbled," as he says. Grasping the man by the shoulder he exclaimed:
"Here, what the blazes does this mean?
Who told you to work this game up here?"
The man didn't wait to make any explanation. He grabbed his dope sheet and entry card and fled down the stairs. For curiosity's sake Mr. Mathews followed him. When he reached the front stoop of the Hall he was in time to see the man dashing across Park row at a run toward Delacy's headquarters.

headquarters.

It was recalled yesterday that after the man had disappeared some of the Aldermen came into the committee room looking around as if they were in search of some one, but all the Aldermen who visited the control was added to the search of some last wasterday said they knew nothing ity Hall yesterday said they knew nothing about the man and all the clerks in the build-ing denied that they ever played the races. They said they thought races were things owed by boys in boats, for pennants.
On Tuesday some bootblacks were fined
in the Centre street court for playing craps

RECEIVER FOR PATRICK EGAN.

With Whom R. C. Lerens of St. Louis Was Associated in a Power Transmitter Co. Judge Truax of the Supreme Court has appointed William J. Rosenstein receiver appointed William J. Rosenstein receiver in supplementary proceedings for Patrick Egan, mortgage broker at 271 Broadway, on the application of Martin & Weil. They obtained a judgment against him for \$521 on April 16. Five years ago Mr. Egan was Treasurer of the Harrison Telephone Company. He has 1,400 shares of stock of the Power Transmitter Company of New Jersey, which is pledged for a loan of \$2,000. Richard C. Kerens of St. Louis is said to have put \$5,000 into the company.

The New York section of the Climate and Crop Serviceof the Weather Bureau, in cooperation with Cornell University, issues the following crop bulletin for the week

STURGIS, S. D., July 2.—Ernest Loveswar has confessed to the double murder of cleerge Puck and George Ostrander, both of Sioux City, Iowa, who were killed on Puck's big cattle ranch near White Owl, S. D. early in June.

They were found dead in bed two days after Loveswar admitted to fellow prisoners that he killed Ostrander after Ostrander killed Puck, but to the Sheriff he admitted shooting them both while asleep, firing his revolver and Puck's simultaneously at their heads.

Loveswar thought he could use Puck's check book if Puck were dead and began writing checks immediately after the shooting. This resulted in his arrest. There have been repeated threats of lynching here.

Negro Politician Shot in a Row Dead.

James H. Smith, the negro messenger in the Department of Charities and President of a Greater New York Colored Democracy Club, who was shot in the abdomen in a fight at the clubhouse, 144 West 17th street, early Sunday morning, died

JOTTINGS ABOUT TOWN.

W. & J. Sloane announce the closing of their store during July and August at a o'clock daily and it o'clock moom on Seturday. They will also close on to day to open again on July 7.

Thirty pewsiters workers who went on atrike two days ago in C. P. Goldsmith's shop in Maiden lane for a nine hour work day, won their atrike yesterday and returned to work?

Corone: Brown has summoned the physicians and nurses from Bedevue Hosipital and the Manhaitan State Hosipital who had charge of Sarah Hutt, to appear before him this morning and tell how she received broken ribs and other injuries. He will hold a formal inquest neat week.